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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,364	09/30/2003	Jin-Woo Hong	Q76932	4338

23373 7590 01/30/2008

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EXAMINER	
CHAUHAN, LOREN B	

ART UNIT	PAPER NUMBER
2193	

MAIL DATE	DELIVERY MODE
01/30/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/673,364	HONG ET AL.	
	Examiner	Art Unit	
	Loren Chauhan	2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *15-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/15/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to remarks filed on 11/05/2007.

2. Claims 1-14 have been cancelled. Claims 15-28 are pending in this application.

Response to Arguments

3. Applicant's arguments filed on 11/05/2007 have been fully considered but they are not persuasive.

In the remark applicant argued:

i. Rutledge failed to teach, the second element which has a second attribute that implements a memory function by expressing one or more operations on one or more variables.

Examiner's response:

On page 79, left column lines 22-32, Rutledge teaches, "The primary construct for retrieving media content is the <ref> element (i.e. second element), and its synonyms.... Each instance of these elements locates one media object (i.e. one or more operations).... All media in a SMIL presentation are brought in using the *src* attribute (i.e. second attribute). Thus Rutledge teaches the second element which has a second attribute that implements a memory function by expressing one or more operations on one or more variables.

Applicant argued:

ii. Bulterman failed to teach, overlapping of rendering region of elements and completing rendering of the first element.

Examiner's response:

On page 83, right column lines 37-39, Bulterman teaches, "A par container's children are all rendered in parallel (i.e. overlapping of rendering region also see fig. 2b on page 84)...". Bulterman teaches in page 83, right column lines 30-33, "A *seq* container's children are rendered so that a successor child can't begin before its predecessor child completes (i.e. completing rendering of the first element). Thus Bulterman teaches and suggest all the limitations.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 15-16 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMIL 2.0 Part 1: Overview, Concepts, and Structure by Dick C.A. Bulterman (Published in IEEE Multimedia on October-December 2001 hereinafter

Bulterman) in view of SMIL 2.0 XML for Web Multimedia by Lloyd Rutledge (Published in IEEE Internet Computing on September-October 2001 hereinafter Rutledge).

6. As per claim 15, Bulterman teaches the invention substantially as claimed including a method of creating multimedia content which is created using Synchronized Multimedia Integration Language (SMIL), the multimedia content (page 82, left column, lines 1-4) comprising:

(a) initializing one or more variables by using a first attribute of a first element (fig. 1, page 83, left column, lines 23-24).

7. Bulterman does not specifically teach implementing a memory function by expressing one or more operations on said one or more variables by using a second attribute of a second element.

8. Rutledge teaches implementing a memory function by expressing one or more operations on said one or more variables by using a second attribute of a second element (page 79, left column, lines 22-25).

9. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bulterman and Rutledge because Rutledge second element with memory function would improve the functions in

Bulterman's system by allowing elements to locate objects to integrate into presentation (Rutledge page 79, left column, lines 26-27).

10. As per claim 16, Bulterman teaches expressing an executing condition of a third element according to one or more results from the operations on the variables using a third attribute of the third element (fig. 2, page 84; fig. 1, page 83, left column lines 28-30).

11. As per claim 25, Bulterman teaches a method of creating multimedia content, which is created using a Synchronized Multimedia Integration Language (SMIL) (page 82,left column, lines 1-4), the method comprising:

(a) processing a first element, which defines one or more operations on one or more variables, by parsing the first element (fig. 1, page 83, left column, lines 24-29; page 87, right column, lines 32-36); but fails to teach implementing a memory function.

12. Rutledge teaches an element having a memory function (page 79, left column, lines 22-25).

13. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bulterman and Rutledge because Rutledge element with memory function would improve the functions in Bulterman's

system by allowing elements to locate objects to integrate into presentation (Rutledge page 79, left column, lines 26-27).

14. As per claim 26, Bulterman does not explicitly disclose the parsing and processing the first element if each of one or more executing conditions of the first element is satisfied.

15. However, Bulterman disclosed the selection process of object associated with the conditional control primitives can be done static or dynamic, which can be done at parse time (page 87, right column, lines 31-36).

16. It would have been obvious to one of ordinary skill in the art at the time of the invention that in fact Bulterman system would have included to parse and process an element if one or more executing conditions were satisfied to improve the flexibility of his system by doing it static or dynamic.

17. Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMIL 2.0 Part 1: Overview, Concepts, and Structure by Dick C.A. Bulterman (hereinafter Bulterman) in view of SMIL 2.0 XML for Web Multimedia by Lloyd Rutledge (Rutledge), and further in view of XML Unleashed by Michael Morrison (Published by Sams on December 21, 1999 ISBN 0-672-31514-9) (hereinafter Morrison).

18. As per claim 17, Bulterman and Rutledge do not teach implementing a memory function in step (b) includes expressing at least one from the group of an arithmetic operation, a relational operation, a logical operation, and an "if" phrase of the variables.

19. Morrison discloses second attribute of the second element expresses at least one from the group of an arithmetic operation, a relational operation, a logical operation, and an "if" phrase of the variables (Chapter 23, Page 534-535, listing 23.5, page 535, lines 12-13).

20. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bulterman, Rutledge and Morrison because Morrison's "if" phrase of the variables would improve the functionalities in Bulterman and Rutledge system by calling and integrating multiple objects in the presentation.

21. As per claim 18, Morrison teaches wherein step (b) further comprises adding an executing Condition for executing the operations on the variables (Page 533, last paragraph, lines 4-5).

22. As per claim 19, Rutledge teaches the step (b) further comprises expressing the executing condition using timing attributes defined in SMIL (page 81, right column, lines 19-23).

23. As per claim 20, Morrison teaches the first attribute of the first element is expressed as var="x=0;" and the second attribute of the second element is expressed as var="x=x ♦ n;" (here, ♦is an arithmetic operator and n is a numeric value if required by the arithmetic operator) (page 534, listing 23.5).

24. Claims 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMIL 2.0 Part I: Overview, Concepts, and Structure by Dick C. A. Bulterman (hereinafter Bulterman) in view of Synchronized Multimedia Integration Language (SMIL 2.0) (W3C Recommendation on August 7, 2001) (hereinafter W3C).

25. As per claim 21, Bulterman teaches the invention substantially as claimed including a method of creating multimedia content using Synchronized Multimedia Integration Language (SMIL) (page 82, left column, lines 1-4), the method comprising:

defining at least one function in a first element (page 83, fig. 1, left column, lines 23-24).

26. Bulterman does not specifically teach expressing content to be processed when the function is true using an attribute of the first element.

27. W3C discloses expressing content to be processed when the function is true using an attribute of the first element. (page 2 of Section 4, Section 4.2.1, lines 1-3).

28. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bulterman and W3C because W3C test-attribute condition to be true would increase the integrity of the performance of Bulterman's system by only played when certain conditions are true (page 2 of Section 4, Section 4.2.1 lines 1-4).

29. As per claim 22, Bulterman discloses the expressing the content to be processed using an "action" attribute of the first element (page 4 of Section 4, Example 1).

30. As per claim 23, Bulterman discloses wherein step (a) comprises defining the function as true when a rendering region of the first element overlaps with a rendering region of a second element, and step (b) includes completing rendering of the first element (page 84, fig. 2(b), 2(c); page 83 right column lines 30-39), but does not disclose that function has to be true.

31. W3C teaches attributes may appear on media object reference if the attribute evaluates to be true (page 2 of Section 4, Section 4.2.1, lines 2-3).

32. As per claim 24, wherein step (a) comprises when rendering regions of a second element and a third element overlap with one another, and step (b) includes starting rendering of a predetermined element using the action attribute (page 84, fig. 2(b), 2(c); page 83 right column lines 30-39), but does not disclose that the function has to be true.

33. W3C teaches attributes may appear on media object reference if the attribute evaluates to true (page 2 of Section 4, Section 4.2.1, lines 2-3).

34. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over SMIL 2.0 Part 1: Overview, Concepts, and Structure by Dick C.A. Bulterman (hereinafter Bulterman) in view of SMIL 2.0 XML for Web Multimedia by Lloyd Rutledge (hereinafter Rutledge) and further in view of Synchronized Multimedia Integration Language (SMIL 2.0) (W3C Recommendation 07 August 2001) (hereinafter W3C).

35. As per claim 27, both Bulterman and Rutledge do not disclose parsing a second element with at least one defined function and processing the second element according to content to be processed when the function is true.

36. W3C discloses parsing a second element with at least one defined function and processing the second element according to content to be processed when the function is true (page 2 of Section 4, section 4.2.1, lines 1-3).

37. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Bulterman, Rutledge and W3C because W3C test-attribute condition to be true would increase the integrity of the performance of Bulterman and Rutledge's system by only played when certain conditions are true (page 2 of Section 4, Section 4.2.1 lines 1-4).

38. As per claim 28, W3C teaches the second element according to content expressed using the action attribute (page 4 of Section 4, Example 1).

Conclusion

39. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loren Chauhan whose telephone number is 571-270-1554. The examiner can normally be reached on Mon.-Thr. 9:30-5:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Loren Chauhan
Examiner
Art Unit 2193

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TUAN VU
PRIMARY EXAMINER

1/28/08